

Judge Barry's reputation is well known and she has excellent credentials. In 1983, she was nominated to a federal district court judgeship by President Reagan, and since being confirmed for that post she has compiled an impressive record and become a nationally recognized expert on a wide range of criminal and civil law matters.

Her knowledge of criminal law led Chief Justice Rehnquist to appoint her to chair the Committee on Criminal Law of the Judicial Conference of the United States, a position she held from 1993–1996. Additionally, the Federal Judicial Center asked her to make an instructional videotape called "How to Try a Complex Criminal Case" and that tape is played for all new district court judges at their orientation seminar.

In the area of civil law, Judge Barry has issued many important rulings including a decision that Blue Cross was required to pay for a bone marrow transplant for a terminally ill young girl who would have died without the procedure.

New Jersey residents are particularly proud of her decision holding New York City responsible and in contempt for failing to obey a court order designed to prevent garbage and medical waste from New York's Fresh Kills Landfill from drifting onto New Jersey's shore. Not only do her judicial colleagues hold her in high regard, Judge Barry is also well-respected by the many attorneys who have appeared before her. They praise her command of the law, her professional demeanor, and her razor-sharp wit.

As a result of her tenure in the U.S. attorney's office, her 16 years of outstanding service at the district court level, and her legal expertise, Judge Barry is well-prepared for elevation to the circuit court. In fact, she has already sat on the Court of Appeals—by designation—and has written several opinions.

Mr. President, I highly recommend Judge Barry for elevation to the third circuit. As some of my colleagues may know, the third circuit is currently facing a judicial emergency, and the appointment of Judge Barry will help.

To further address this crisis, I hope that the Judiciary Committee will soon take up the nomination of another excellent candidate for the third circuit, Judge Julio Fuentes. I would also be remiss if I did not point out that the elevation of Judge Barry will create another vacancy on the District Court of New Jersey, and so it would be essential that the committee move forward with the nomination of Faith Hochberg to that court.

Mr. TORRICELLI. Mr. President, I rise today in support of Judge Maryanne Trump Barry's confirmation to the Third Circuit Court of Appeals. As a member of the Senate Judiciary Committee, I have followed Judge Barry's nomination closely as it has moved through the confirmation proc-

ess. During this time, I have been impressed by her candor, intelligence, and qualifications for the position. She has moved through the process quickly, and I believe the overwhelming support for her nomination is evidence of her ability to ultimately fulfill the obligations of serving on the Third Circuit.

Those who know Judge Barry, and have had the pleasure of working with her, have spoken openly of her integrity and thorough knowledge of the law. Some have highlighted her decency, while others have focused upon her razor-sharp wit. However, everyone has agreed on one point—Judge Barry has developed a reputation as a skilled jurist with a judgment and temperament that are highly respected by her peers. The other members of the Senate Judiciary Committee agreed with this assessment, and I was pleased that Judge Barry's nomination was passed out of the Committee by voice-vote on July 29th.

For those who are unfamiliar with Judge Barry's distinguished career, she has graduated with Master's and law degrees from Columbia and Hofstra Universities respectively. Judge Barry first worked for the U.S. Attorney's Office in New Jersey and quickly rose through the ranks. She served as Chief of the Appeals Division, and then as a first assistant to the U.S. Attorney. At the time, Judge Barry was the highest-ranking female prosecutor in any major U.S. Attorney's Office in the country.

In 1983, Judge Barry was appointed to the U.S. District Court by President Reagan. For almost 16 years, she has served as a pragmatic and vocal presence on the bench in Newark, New Jersey. As a former President of the Association of the Federal Bar of the State of New Jersey, Judge Barry has had a tremendous impact on policy across the State. She currently serves on its advisory board, and continues to be highly regarded for her insights and opinions. Judge Barry has consistently impressed me as an extraordinary woman, and one who will continue to distinguish herself. I urge my colleagues to support her confirmation to the Third Circuit Court of Appeals.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Maryanne Trump Barry, of New Jersey, to be United States Circuit Judge for the Third Circuit?

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

The Senator from Washington.

ORDER OF BUSINESS

Mr. GORTON. Mr. President, with respect to the Interior appropriations

bill, there will be a vote on or in relation to the Bryan amendment and the second-degree Wyden amendment tomorrow morning at 10:30.

It may well be that that will be the last contested matter in connection with this appropriations bill other than the disposition of the Hutchison amendment. I am not entirely certain of that at this point. But we are close to having agreed-upon managers' amendments both with respect to legislative matters and with respect to money matters, with the exception of the motion to reconsider the invocation of cloture.

For that reason, this is a notice and a request to Members that if they have other matters they wish debated, or if they have other matters they wish brought to the managers' attention, they should do so very promptly. We will not in the managers' amendment dispose of all the amendments which were reserved, but I think we probably will be able to take care of all of those that look as if they would be otherwise brought up and voted on.

We are tantalizingly close to finishing. But, of course, we will not finish or go to third reading under the present circumstances at least until after disposition of the motion to reconsider the motion to invoke cloture, and that motion will certainly pass, and there will be at least one more vote on cloture itself.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, thank you very much.

I would just like to comment upon the vote the Senate has just taken on whether to shut down debate on the Hutchison amendment. I thank very much those colleagues who voted against that cloture motion. I think it is very important that the light and the truth be shone upon this matter. I think the way to do it is to have more discussion.

I just want to say to the Senate that when I made my 2½-minute presentation, it is always very difficult to say everything in your heart in 2½ minutes. But I said the reason I am doing this—there is no other reason in the world for me to be delaying a vote on an amendment—is that I love the Senate too much to see it be a party to such a scheme by just 5 percent of the oil companies to essentially rob this Treasury of millions and millions of dollars.

This is the fourth time that Senator Hutchison has attempted to pass this rider. It never had a Senate vote before. This is the first vote in any way about the Hutchison amendment.

By the way, I know that some people who voted aye on the cloture motion will vote with me on the substance. I am looking forward to that.

But the bottom line is, when we look at this closely, we see a number of things—that most of the oil companies are doing the right thing on their royalty payments. Ninety-five percent of